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UNCLAS SECTION 01 OF 02 KINSHASA 000906

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SUBJECT: PARLIAMENTARY UPDATE: EXTRAORDINARY SESSION
POST-MORTEM

REF: A. KINSHASA 679
[1](#)B. KINSHASA 343

[1](#)1. Summary. The National Assembly and the Senate closed their special sessions on July 18. The Assembly considered five of twelve scheduled items: the 2007 budget, the laws on the political opposition and national road patrimony protection, and ad hoc commission reports on the Kahemba border dispute with Angola, and the invalidation of the elections of 18 MPs by the Supreme Court. The Senate only considered and amended legislation arising from the lower house in this session. In addition to the remaining items from the current agenda, both chambers will consider a significant number of new bills in their next ordinary sessions, scheduled to open on September 15. End summary.

Significant Decisions

[1](#)2. The draft law on the budget was initially passed by the National Assembly and then revised by the Senate. After discussions by a joint committee, the USD 2.446 billion budget (at an exchange rate of 560 Congolese francs to the dollar) was signed by President Kabila on July 7.

[1](#)3. The Law on the Opposition was drafted and proposed by MLC deputy Delly Sesanga (ref A) and revised by both the Assembly and the Senate. The draft recognizes both Parliamentary and Extra-Parliamentary Opposition, and guarantees both the right to participate in political activities without fear of persecution. After the Senate's consideration, the text includes a new title for the leader of the Opposition, who will be elected by Opposition members of both the Assembly and the Senate and called "Spokesman," and elevates his rank from Minister to Minister of State. The draft law will be considered by the joint Assembly/Senate committee to reconcile the language in the next regular session, after which it will be forwarded to the Supreme Court to certify its constitutionality and presented to President Kabila for promulgation.

[1](#)4. The Assembly approved an ad hoc commission report on the border dispute with Angola in the Kahemba region of Bandundu province (ref B). The commission, headed by opposition deputy Roger Lumbala, approved language which stated that "at least 13 Congolese villages of the locality of Kahemba were invaded and occupied by Angola." Since this conclusion contradicted the GDRC experts' previous conclusion that "Angola did not invade or occupy a single inch of the DRC territory," the Assembly recommended that a joint commission comprising the DRC, Angola, and the former colonial powers (Belgium and Portugal) meet to settle the dispute.

¶15. The "Matadi Nenga" ad hoc commission, which was set up to investigate the invalidation of the election of 18 Assembly MPs by the Supreme Court for various irregularities, finally determined that the Court's invalidations should be upheld. The 18 affected MPs have already been replaced (septel).

¶16. The National Road Patrimony Protection law seeks to inventory existing Congolese roads and set up a fund to ensure their maintenance and further development. The law was unanimously approved by the Assembly and now rests with the Supreme Court. If found constitutional, it will also be forwarded to President Kabila for promulgation.

Future Agenda

¶17. Parliamentarians in both chambers now begin a two-month break to consult with their constituencies. Both chambers are scheduled to hold regular sessions from September 15 through December 15. In the Assembly, more than 50 draft laws -- in addition to those priority bills left over from the special session, such as the Law on Decentralization, the establishment of the new Electoral Commission, and the High Magistrates' Council -- will be on the table. In addition, the next session should consider and adopt a budget for calendar year 2008. The Senate will consider joint commissions with the National Assembly as well as internal rules for drafting and approving legislation.

Comment

KINSHASA 00000906 002 OF 002

¶18. While the process has gotten off to a slow start, both the Assembly and the Senate have established their basic organization, committee structure, and internal rules and procedures, all of which was a significant effort in and of itself. Substantively, the new parliament made a respectable effort to address some of the most pressing political and developmental issues. Now, visible results are necessary. Many challenges remain, and both institutions need to demonstrate that they are capable of delivering real progress to the Congolese people. End comment.
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